

# Memorandum



**Date:** October 10, 2008

RCA

Agenda Item No. 8(A)

**To:** Honorable Javier D. Souto and Members  
Recreation and Cultural Affairs Committee

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "George M. Burgess", written over the printed name of the County Manager.

**Subject:** South Miami-Dade Cultural Arts Center  
Status Report

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The Department of Cultural Affairs has prepared this report in response to the Recreation and Cultural Affairs Committee's request for a monthly update on the progress with constructing and opening the new South Miami-Dade Cultural Arts Center.

## BACKGROUND

The South Miami-Dade Cultural Arts Center is located on S.W. 211 Street in Cutler Bay and is being developed to serve as a multidisciplinary arts center to showcase the performing arts. The design team includes an architectural and engineering team led by Arquitectonica International, Inc, theater consultant Fisher Dachs Associates, Inc., acoustical and sound and communications consultant Artec Consultants, Inc., and arts management consultant AMS Planning & Research Corp.

The Center's 966 seat state-of-the-art Theater Building includes a fly tower, orchestra pit, front of house spaces (box office, lobby, restrooms, concessions, etc.), back of house support spaces (dressing rooms, storage and work areas, administrative offices, etc.) and a multi-purpose rehearsal space. The separate Activities Building of the Center will house an informal performance space, and smaller multi-purpose spaces for lectures, classes, or community gatherings. The Center's two buildings will be joined by an outdoor promenade leading to a gently sloping lawn for outdoor concerts and festivals along the Black Creek Canal.

Through the Miami-Dade County's Art in Public Places Program, the Center will have major public art works created by Miami artist Robert Chambers. An innovative light piece will illuminate the entire, translucent inner lobby wall with changing designs created by computer-programmed LED fixtures. In addition, the lobby will feature a number of marble sculptures also created by Robert Chambers.

A contract with The Tower Group, Inc. (TTG) for the construction of the South Miami-Dade Cultural Arts Center was approved in July 2005 and the Department of Cultural Affairs issued the Notice to Proceed to the Contractor on December 29, 2005. The Department is managing the construction of the Center and will operate the facilities upon completion.

## **CONSTRUCTION**

Construction is approximately 80% complete. In early August, the Building Department instructed the Contractor to stop the curtain wall installation due to lack of approved shop drawings, deficiencies in the installation, and the need to request a one-time product approval due to deviations between the product's Notice of Approval (NOA) and the project installation. The Tower Group (TTG) has been working with the curtain wall sub-contractor, Owen International, and their engineer to prepare the submittal package to the Building Code Compliance Office (BCCO). TTG submitted the one-time product approval package to BCCO on September 17, 2008, and has begun to remove the curtain wall frames installed in order to proceed with the shop glazing required by code. In order to ensure the quality of the work, the Department and Architect will have the building envelope specialty inspection company, IBA Consultants, provide periodic shop inspections of TTG's work.

Installation of the metal panel cladding at both buildings is 90% complete. TTG recently conducted a walk through of the project with the metal panel skin sub-contractor's vice president and the architect to review specific conditions and details of the installation. Roofing installation is 97% complete, with several finishing details pending completion as well as a final inspection by the roofing inspection firm hired by the Department.

Metal stud framing continues, as well as insulation and drywall installation throughout the interior of the Theater and Activities Buildings. Rough mechanical, electrical, plumbing, and fire protection (MEPF) work is ongoing throughout the buildings, including electrical wiring, fire alarm and sound and communications conduit and wiring. Fire proofing and caulking is continuing throughout the buildings, as well as priming and painting in areas ready to receive finishes. The stage rigging contractor has completed the stage house rigging and partially completed the pipe grids at the multi-purpose and drama/rehearsal rooms.

TTG has passed inspection for the 208/120 volt switchgear which remained pending after FPL energized the 480/277 volt switchgears. The Department will coordinate with FPL to provide permanent power for this voltage. FPL has installed the new pole required to complete the relocation and removal of poles along 211<sup>th</sup> Street, and is pending work by TTG to complete the relocation. The Department continues to coordinate with AT&T and Comcast to relocate their wiring underground as well.

## **CONSTRUCTION SCHEDULE**

TTG's schedule update for August (named WF26) projects a substantial completion date of December 29, 2008, which is 322 calendar days beyond the contractual substantial completion date of February 11, 2008 and 25 days beyond the previously submitted schedule update.

TTG's schedule updates for the last few months have projected the following substantial completion dates:

- Preliminary January 2008 schedule update – December 23, 2008 substantial completion;
- REVISED January 2008 schedule update – August 29, 2008 substantial completion;
- February 2008 schedule update – September 23, 2008 substantial completion;

- March 2008 schedule update – September 23, 2008 substantial completion;
- April 2008 schedule update – October 3, 2008 substantial completion;
- May 2008 schedule update – October 22, 2008 substantial completion;
- June 2008 schedule update – November 14, 2008 substantial completion;
- July 2008 schedule update – December 4, 2008 substantial completion; and
- August 2008 schedule update – December 29, 2008 substantial completion.

The latest schedule update does not reflect the time necessary for TTG to obtain a one-time product approval for the curtain wall system from BCCO and to complete the permitting process through the Building Department. As of September 11, 2008, TTG maintains that the curtain wall activities have not impacted the critical path of the schedule and stands by the December 29, 2008 substantial completion date projected in their latest schedule update.

The Department is assessing liquidated damages each month against the 10% retainage being held for the project.

## **CONSTRUCTION BUDGET**

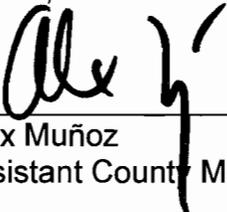
The Department has paid \$27.8 million of the overall \$39.5 million contract amount, which includes the owner-controlled contingency and a deduct change order for the Direct Purchase Program. Retainage currently totals \$3.1 million, leaving an \$8.6 million balance to finish. Delay damages assessed against retainage total over \$611,000 up to the end of August 2008.

The Department and A/E team continue to review the over 50 Proposed Change Orders (PCOs) submitted by TTG within the last three months with the goal of completing a fair and thorough review as quickly as possible. To date, the Department has issued approximately \$1.7 million in Work Orders from the \$3.6 million contingency account.

The following summarizes the status of all 91 PCOs received to date:

- (14) PCOs have been voided;
- (9) PCOs have been rejected;
- (29) PCOs have been reviewed and Work Orders have been issued;
- (31) PCOs are currently under review by the A/E and/or Department;
- (10) PCOs have been reviewed and comments provided to TTG for re-submittal.

Five of the PCOs currently under review by the Department, A/E team, and the scheduling consultant include contract time extension requests totaling 343 days. Based on a preliminary review, most of the time extension requests are unsubstantiated.

  
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Alex Muñoz  
Assistant County Manager